

IC 13-20.5

ARTICLE 20.5. ELECTRONIC WASTE

IC 13-20.5-1

Chapter 1. Registration Programs

IC 13-20.5-1-1

Registration deadlines; information to be included in registration; updates

Sec. 1. (a) A manufacturer of video display devices sold or offered for sale to households as of January 1, 2010, shall submit a registration to the department not later than:

- (1) April 1, 2010, for the program year that begins on April 1, 2010; and
- (2) each immediately succeeding April 1 on which the manufacturer continues as a manufacturer of video display devices sold or offered for sale to households for the program year that begins on that April 1.

(b) A manufacturer that begins to sell or offer for sale video display devices to households after 2009 and before April 1, 2010, shall submit a registration to the department not later than:

- (1) April 20, 2010, for the program year that begins on April 1, 2010; and
- (2) each immediately succeeding April 1 on which the manufacturer continues as a manufacturer of video display devices sold or offered for sale to households for the program year that begins on that April 1.

(c) A manufacturer that begins to sell or offer for sale video display devices to households after March 31, 2010, shall submit a registration to the department not later than:

- (1) twenty (20) days after the date the manufacturer begins to sell or offer for sale the video display devices for the program year in which the manufacturer begins to sell or offer for sale the video display devices; and
- (2) each immediately succeeding April 1 on which the manufacturer continues as a manufacturer of video display devices sold or offered for sale to households for the program year that begins on that April 1.

(d) A registration submitted under this section must include the following:

- (1) A list of the brands of video display devices offered for sale in Indiana by the manufacturer, regardless of whether the manufacturer owns or licenses the brand.
- (2) The name, address, and contact information of a person responsible for ensuring compliance with this article. The department shall post the contact information provided by each manufacturer on an Internet web site.
- (3) A certification that the manufacturer or the manufacturer's agent has complied and will continue to comply with the requirements of this article.

- (4) An estimate based on national sales data of the total weight in pounds of the manufacturer's video display devices sold to households during the most recent twelve (12) months:
 - (A) that precede the date of registration; and
 - (B) for which that data is available.
- (5) A demonstration of how the manufacturer plans in the program year for which the registration is submitted to meet the recycling goal stated in IC 13-20.5-4-1.
- (6) A statement that discloses whether:
 - (A) any video display devices sold by the manufacturer to households exceed the maximum concentration values established:
 - (i) for lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls (pbbs), and polybrominated diphenyl ethers (pbdes); and
 - (ii) under the directive restricting the use of certain hazardous substances in electrical and electronic equipment (RoHS Directive) 2002/95/EC of the European Parliament and Council, as amended; or
 - (B) the manufacturer has received an exemption from any of the maximum concentration values under the RoHS Directive that has been approved and published by the European Commission.
- (e) A manufacturer shall update the manufacturer's registration under this section not more than ten (10) days after the date the manufacturer changes the brand or brands of video display devices the manufacturer sells or offers for sale to households.

As added by P.L.178-2009, SEC.27.

IC 13-20.5-1-2

Requirements for sale of video display devices from manufacturer to retailer

Sec. 2. After 2009, a manufacturer may not sell, offer for sale, or deliver to a retailer for subsequent sale a new video display device unless:

- (1) the video display device is labeled with the manufacturer's brand that is permanently affixed and readily visible; and
- (2) the manufacturer has submitted a registration to the department under section 1 of this chapter.

As added by P.L.178-2009, SEC.27.

IC 13-20.5-1-3

Registration applies to program year; department review and listing of manufacturers and brands

Sec. 3. (a) A registration received from a manufacturer by the department under this chapter is, except as provided in subsection (b), effective for the program year for which the registration is submitted under section 1 of this chapter.

(b) The department shall review each registration and notify a manufacturer of any information required by this chapter that is

omitted from the manufacturer's registration. Not more than thirty (30) days after the date a manufacturer receives notification from the department concerning incomplete information in the manufacturer's registration, the manufacturer shall submit a revised registration that includes the information required by the department. A registration received from a manufacturer by the department under this subsection is, unless the manufacturer receives a second or subsequent notification from the department concerning incomplete information, effective for the program year for which the registration is submitted under section 1 of this chapter.

(c) The department shall maintain on an Internet web site the names of manufacturers and the manufacturers' brands listed in registrations submitted to the department. The department shall update the Internet web site information promptly upon receipt of a new or updated registration. The Internet web site must contain prominent language stating that:

- (1) this article is directed at video display devices used by households; and
- (2) the manufacturers' brands list is not a list of manufacturers qualified to sell to industrial, commercial, or other markets identified as exempt from the requirements of this article.

As added by P.L.178-2009, SEC.27.

IC 13-20.5-1-4

Requirements to operate as collector; effective period of registration

Sec. 4. (a) After 2009, a person may not operate as a collector of covered electronic devices from covered entities unless the person:

- (1) has submitted to the department a completed registration form as required by 329 IAC 16-5-1; and
- (2) otherwise complies with 329 IAC 16.

(b) A registration submitted under this section is:

- (1) effective upon receipt by the department; and
- (2) valid for one (1) year from the date the registration is submitted to the department.

As added by P.L.178-2009, SEC.27.

IC 13-20.5-1-5

Requirements to operate as recycler; effective period of registration

Sec. 5. (a) After 2009, a person may not recycle covered electronic devices generated by covered entities unless the person:

- (1) has submitted to the department a completed registration form as required by 329 IAC 16-5-1; and
- (2) otherwise complies with 329 IAC 16.

(b) A registered recycler may conduct recycling activities that are consistent with this article.

(c) A registration submitted under this section is:

- (1) effective upon receipt by the department; and
- (2) valid for one (1) year from the date the registration is

submitted to the department.
As added by P.L.178-2009, SEC.27.

IC 13-20.5-1-6

Department may revoke collector or recycler registration

Sec. 6. The department may revoke the registration of a collector or recycler that violates either or both of the following:

(1) This article.

(2) 329 IAC 16.

As added by P.L.178-2009, SEC.27.